

**2001 DRAFTING REQUEST****Bill**Received: **01/29/2001**Received By: **fasttn**Wanted: **Soon**

Identical to LRB:

For: **Kimberly Plache (608) 266-1832**By/Representing: **John Anderson (aide)**This file may be shown to any legislator: **NO**Drafter: **fasttn**

May Contact:

Alt. Drafters:

Subject: **Transportation - traffic laws**Extra Copies: **ARG, PJH - 1**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Following snowplows

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**Instructions:**

Companion to LRB-1844/1


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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	fasttn 01/29/2001	gilfokm 01/29/2001		_____			
/1			haugeca 01/29/2001	_____	lrb_docadmin 01/29/2001	lrb_docadmin 02/01/2001 <del>lrb_docadmin</del> <del>02/01/2001</del>	

FE Sent For:

&lt;END&gt;


 Not  
Needed

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/?	fasttn	1-1/29-01 King	CH 1-29	CH 1-29 pub			

FE Sent For:

&lt;END&gt;

## **Fast, Timothy**

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**From:** Anderson, John  
**Sent:** Monday, January 29, 2001 1:37 PM  
**To:** Fast, Timothy  
**Subject:** RE: LRB 1844 snowplow

Yes. That's fine.

**John G. Anderson**  
**Office of Senator Kim Plache**  
**415 South - State Capitol**  
**608 266 -1832**

-----Original Message-----

**From:** **Fast, Timothy**  
**Sent:** Monday, January 29, 2001 1:36 PM  
**To:** Anderson, John  
**Subject:** RE: LRB 1844 snowplow

It's on its way. You should have it by tomorrow morning. OK?

Peace, Tim

-----Original Message-----

**From:** Anderson, John  
**Sent:** Monday, January 29, 2001 11:10 AM  
**To:** Fast, Timothy  
**Subject:** LRB 1844 snowplow

Timothy,

Sen. Plache would like to have a senate companion bill drafted identical to LRB 1844/1. Kristina Boardman should be contacting you soon with permission from Rep. Ainsworth.

Thank you very much.

**John G. Anderson**  
**Office of Senator Kim Plache**  
**415 South - State Capitol**  
**608 266 -1832**

## **Fast, Timothy**

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**From:** Boardman, Kristina  
**Sent:** Monday, January 29, 2001 11:09 AM  
**To:** Fast, Timothy  
**Subject:** FW: snowplow bill

Tim:

Senator Plache would like to introduce a companion bill to our snowplow bill. John Anderson, of the Plache staff, asked that I contact you to provide permission to draft an identical bill.

Please let me or John Anderson know if you have any questions.

Thanks Tim, again.

Kristina

-----Original Message-----

**From:** Anderson, John  
**Sent:** Monday, January 29, 2001 11:06 AM  
**To:** Boardman, Kristina  
**Subject:** snowplow bill

Kristina, would you please email the drafter, I believe it is Timothy Fast, to give us permission to have a bill drafted the same as yours. Our bill does not include any reference to passing snowplow, nor flashing red or amber lights.

Thanks, much.

**John G. Anderson**  
**Office of Senator Kim Plache**  
**415 South - State Capitol**  
**608 266 -1832**

WANTED TUES.  
AM 1/30/01

**2001 BILL**

- 1 **AN ACT** *to create* 346.915 of the statutes; **relating to:** following snowplows and  
2 providing a penalty.

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***Analysis by the Legislative Reference Bureau***

Under current law, with certain exceptions, no person may drive a motor vehicle closer than 500 feet behind an authorized emergency vehicle, including a police car, fire truck, or ambulance, that is responding to a call or alarm. A person violating this prohibition may be required to forfeit not less than \$20 nor more than \$40 for a first conviction, and not less than \$50 nor more than \$100 for a second or subsequent conviction within one year of the first conviction. There is no similar prohibition applicable to following too closely behind snowplows.

This bill prohibits a person from driving a motor vehicle closer than 200 feet behind an official snowplow that is engaged in the removal or treatment of snow or ice upon a highway having a posted speed limit of more than 35 miles per hour if the snowplow is displaying two flashing red or amber lamps or a red or amber lamp of the dome-light type. The bill contains an exception to allow a person to overtake and pass a snowplow that is removing or treating snow or ice. In addition, the prohibition on following a snowplow too closely does not apply to a snowplow that is stopped or standing in the highway. The penalty for a violation is the same as the penalty for following an emergency vehicle too closely.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

# BILL

**SECTION 1.** 346.915 of the statutes is created to read:

**346.915 Following snowplows.** (1) In this section, “snowplow” means a vehicle that is operated by a person employed by or on behalf of an authority in charge of the maintenance of the highway to perform highway winter maintenance snow and ice removal, including plowing, salting, and sanding, during either a storm or cleanup following a storm and which is using lamps described in s. 347.26 (7).

(2) The operator of any vehicle that is not a snowplow may not follow a snowplow closer than 200 feet upon any highway having a posted speed limit of more than 35 miles per hour, if the snowplow is engaged in highway winter maintenance snow and ice removal, as described in sub. (1), and is using lamps described in s. 347.26 (7). This subsection does not apply when overtaking and passing a snowplow, but the fact that the operator of any vehicle upon a highway having a posted speed limit of more than 35 miles per hour follows the snowplow more closely than 200 feet for one mile or more or follows more closely than 200 feet when the snowplow is moving at the maximum speed limit is prima facie evidence that the operator of such following vehicle is violating this subsection. This subsection does not apply to a snowplow that is stopped or standing in the highway.

**(END)**



STEPHEN R. MILLER  
CHIEF

# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

January 29, 2001

### MEMORANDUM

To: Senator Plache

From: Timothy N. Fast, Senior Legislative Attorney

Re: LRB-2300 Following snowplows

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

\_\_\_\_\_ JACKET FOR ASSEMBLY    ~~\_\_\_\_\_ JACKET FOR SENATE~~

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-9739 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.